

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

86-285

SEP 11 2002

OFFICE OF
MANAGING DIRECTOR

Marie Leon Guerrero
Assistant General Manager
KTGM-TV
692 N. Marine Dr., #308
Tamuning, GU 96911

Re: Island Broadcasting Inc.
Fiscal Year 2001 Regulatory Fee
Fee Control No. 00000RROG-02-039
Bill No. 2002-9-9190

Dear Ms. Guerrero:

This is in response to your request dated April 30, 2002, filed on behalf of Island Broadcasting Inc. (Island Broadcasting) for a waiver of the \$287.50 late charge penalty for late payment of the fiscal year (FY) 2001 regulatory fee. Our records reflect that you have not paid the late charge penalty.

In support of your request, you assert that Island Broadcasting mailed the FY 2001 regulatory fee on September 18, 2001 via U.S. Priority Air Mail which, under normal circumstances, would have allowed sufficient time for it to be received by the Commission in a timely manner on September 26, 2001. You maintain that mail delivery service going into and out of Guam was severely affected by the attack on the World Trade Center on September 11, 2001, and that Guam was unable to send or receive mail for two weeks after the incident. You state that mail service did not return to normal until April 21, 2002.

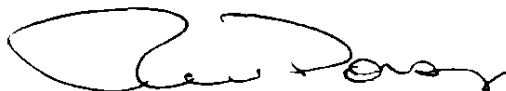
Our records reflect that Island Broadcasting's check in payment of the FY 2001 regulatory fee is dated September 18, 2001, the FCC Form 159 (Remittance Advice) accompanying the check is dated September 9, 2001, and the envelope containing the check and FCC Form 159 is postmarked September 19, 2001. In light of these facts, we find that the untimely receipt of the fee was the result of the clearly unforeseeable events of September 11, 2001 (including the ensuing interruption of mail and air courier service) that even the best of planning could not have avoided. Indeed, in recognition of the disruption and cancellation of mail and air courier service throughout the United States following the events of September 11, 2001, the Commission took the unusual step of extending the FY 2001 regulatory fee filing window from September 21, 2001 to September 26, 2001. **Public Notice, Extension of Fiscal Year 2001 Regulatory Fee Filing Window, 2001** WL 1078406 (dated September 17, 2001). We therefore find good cause to grant your request that you not be charged the \$287.50 late charge penalty for the fiscal year 2001 regulatory fee. Bill No. 2002-9-9190 will therefore be canceled.

Ms. Marie Leon Guerrero

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If you have any questions concerning this matter, please contact the Revenue & Receivables Operation Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Reger', written in a cursive style.

 **Mark A. Reger**
Chef Financial Officer



632 N. Marine Dr. #308
 Tumling, GU 96911
 Phone: (671) 649-8814 (TV14)
 Fax: (671) 649-0371
 www.abc14guam.tv

April 30, 2002

Federal Communications Commission
 Claudette Pride, Acting Chief
 Revenue and Receivable Operations Group
 PO Box 358835
 Washington, DC 20554

Ref: 2001 Regulatory Fees
 Bill#2002-9-9190

~~Dear~~ Ms. Pride,

I ~~am~~ writing in response to your ~~notice~~ dated April 24, 2002 ~~regarding~~ Island Broadcasting Inc.'s late filing of the 2001 ~~Annual~~ Regulatory fee. The fee was transmitted via US Priority Air Mail on September 18, 2001 and did not have a carrier dated receipt. The envelope should have a postmark ~~stamp~~ when it was received by the local ~~Post Office~~. Under normal circumstances ~~the~~ fee should have been received by the FCC ~~within~~ three to ~~five~~ working days. However, ~~mail~~ delivery service going in and out of Guam was severely affected ~~by~~ the September 11th terrorist attack. Guam was not able to send or receive ~~mail~~ for a couple of weeks after the incident. Even then, ~~mail~~ was held in Hawaii until special chartered flights would bring ~~mail~~ in once a week. Mail service ~~has~~ finally returned to normal with ~~regular~~ daily flights resuming on April 21, 2002.

Island Broadcasting, Inc. ~~has~~ been very diligent in submitting ~~all~~ annual regulatory fees and reports ~~as~~ required by the Federal Communications Commission. I ~~am~~ requesting that the FCC waive the late fee/penalty charge due to special extenuating circumstances beyond our control ~~as~~ a direct result of the September 11th incident.

If you have any questions, please feel free to contact me at (671) 649-8814 ext:203.

Regards,

Marie Leon Guerrero

Marie Leon Guerrero
 Assistant General Manager
 KTGM-TV



Payment Search Detail

Fee Control Number	Payor Name	Payment Amt	Overage Amt	R
0110098835124003	ISLAND BROADCASTING INC	\$1,150.00	\$0.00	

Sequence	Quantity	Payment Type Code	Payment Amount	Trans Code	CallSign Other Id	Treasury Symbol
1	1	0163	\$1,150.00	PMT	KTGM	27X6088

Credit Card Info

Payor Info

Bad Check Info

Changer Info

Acct Info

☒ Also Show JV'd transactions

Move To Unapplied

FCC Code Info

Applicant Info

Treasury Info

Modify Payment

Close

FOR INQUIRIES CALL
1-202-412-1995
(Credit and Debt Management Group)

PITTSBURGH, PA 15251-5028

DATE _____